

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

UW student housing.

Sponsored by: Representative(s) HDraft

A BILL

for

1 AN ACT relating to the University of Wyoming; providing for
2 phase 1 and phase 2 of the University of Wyoming student
3 housing project; providing for project parameters and
4 requirements; providing legislative findings; providing a
5 loan of state funds for project funding; providing funding to
6 defease existing outstanding University of Wyoming bonds;
7 creating accounts; redirecting federal mineral royalties;
8 removing a moratorium on construction and construction
9 related activities at the University of Wyoming; and
10 providing for an effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

1 **Section 1.**

2

3 (a) The legislature of the state of Wyoming finds that:

4

5 (i) As the only university in the state, the
6 University of Wyoming is the cornerstone of higher education
7 in Wyoming, a primary driver of economic development and
8 diversification in Wyoming and critical for the retention of
9 Wyoming youth within the state and the recruitment of talented
10 young people from the region, the nation and the world;

11

12 (ii) Critical to the success of the University of
13 Wyoming's mission is appropriate, functional and attractive
14 student housing;

15

16 (iii) The legislature, the citizens of Wyoming and
17 alumni and friends of the University of Wyoming have invested
18 hundreds of millions of dollars in capital construction and
19 renovations at the University of Wyoming. The benefits of
20 these improvements can only be fully realized if students are
21 provided a student life environment on campus which keeps
22 pace with the academic and athletic facilities at the
23 University of Wyoming; and

1

2 (iv) It is in the interest of the state to provide
3 financial support to the University of Wyoming to develop and
4 construct student housing to enhance the core functions of
5 the university.

6

7 **STAFF COMMENT: These findings are simply a starting**
8 **point on which to develop more comprehensive legislative**
9 **findings.**

10

11 **Section 2.**

12

13 (a) There is created the University of Wyoming student
14 housing project. The project shall be completed in phases,
15 as follows:

16

17 (i) Phase 1 of the project shall be intended to
18 replace existing dormitory rooms on the University of Wyoming
19 Laramie campus. Phase 1 shall provide housing for no less
20 than two thousand (2,000) students. These dormitory buildings
21 shall be constructed to accommodate between three hundred
22 (300) and six hundred (600) students each and shall not exceed
23 five (5) stories of usable, occupiable space. The dormitory

1 buildings may include retail space. The dormitory buildings
2 shall be constructed on the University of Wyoming campus,
3 west of 15th Street, north of Ivinson Street and south of
4 Lewis Street, as specified in and otherwise in accordance
5 with the report of the task force on University of Wyoming
6 housing submitted on _____ to the University of Wyoming
7 board of trustees, the management council and the joint
8 appropriations committee. The report is on file with the
9 legislative service office;

10
11 (ii) Phase 2 of the project shall incorporate the
12 concept of a sophomore student housing village. Phase 2 of
13 the project shall provide housing for not less than one
14 thousand five hundred (1,500) students. The student housing
15 may include retail space. The student housing shall be
16 constructed on the University of Wyoming campus, as specified
17 in and otherwise in accordance with the report of the task
18 force on University of Wyoming housing submitted on _____
19 to the University of Wyoming board of trustees, the management
20 council and the joint appropriations committee. The report
21 is on file with the legislative service office.

22

1 (b) All student housing constructed during the project
2 shall:

3
4 (i) Conform to the University of Wyoming exterior
5 building guidelines as adopted by the University of Wyoming
6 board of trustees' subcommittee on _____;

7
8 (ii) Include all necessary components of the
9 project, including demolition of existing facilities and
10 construction and relocation of infrastructure;

11
12 (iii) The University of Wyoming shall repay on a
13 twenty (20) year accrual schedule all funds annually expended
14 from the University of Wyoming student housing account.
15 Repayments shall be secured by federal mineral royalties
16 previously allocated to the University of Wyoming under W.S.
17 9-4-601(a)(iv) and any other sources as provided by the
18 legislature. The University of Wyoming board of trustees may
19 also dedicate any other funds to repay funds borrowed under
20 this act.

21

1 **STAFF COMMENT:** The above language does not require
2 **repayment of the funds appropriated for UW securities**
3 **defeasance.**

4
5 **Section 3.**

6
7 (a) There is created the University of Wyoming student
8 housing account. Funds from the account are continuously
9 appropriated to the University of Wyoming for the University
10 of Wyoming student housing project as provided in this act.
11 Notwithstanding W.S. 9-2-1008 and 9-4-207, any earnings from
12 funds in the account shall be credited to the account and
13 shall not lapse at the end of any fiscal period.

14
15 (b) There is created the University of Wyoming
16 outstanding securities defeasance account. Funds in the
17 account shall be expended by the trustees of the university
18 for the payment of principal and interest on any outstanding
19 securities issued as of March 1, 2019. Notwithstanding W.S.
20 9-2-1008 and 9-4-207, any earnings from funds in the account
21 shall be credited to the account and shall not lapse at the
22 end of any fiscal period.

1 **STAFF COMMENT:** This language may need to be retooled to
2 **provide the necessary assurances that these funds can only be**
3 **used for bond defeasances, but was mirrored off existing**
4 **language in W.S. 9-4-601(a)(iv).**

5
6 **Section 4.** W.S. 9-4-601(a)(iv) and by creating a new
7 paragraph (xii) is amended to read:

8
9 **9-4-601. Distribution and use; funds, accounts, cities**
10 **and towns benefited; exception for bonus payments.**

11
12 (a) All monies received by the state of Wyoming from
13 the secretary of the treasury of the United States under the
14 provisions of the act of congress of February 25, 1920 (41
15 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or from
16 lessees or authorized mine operators and all monies received
17 by the state from its sale of production from federal mineral
18 leases subject to the act of congress of February 25, 1920
19 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191) as amended, except
20 as provided by subsection (b) of this section, shall be
21 deposited into an account and the first two hundred million
22 dollars (\$200,000,000.00) of revenues received in any fiscal
23 year shall be distributed by the state treasurer as provided

1 in this subsection. One percent (1%) of these revenues shall
2 be credited to the general fund as an administrative fee, and
3 the remainder shall be distributed as follows:

4
5 (iv) Except as provided in paragraph (xii) of this
6 subsection, six and three-quarters percent (6 3/4%) to a
7 separate account for the University of Wyoming. This revenue
8 may be used only for the actual and necessary expenses of
9 constructing, equipping and furnishing new buildings, the
10 repairing of existing buildings, the purchasing of improved
11 or unimproved real estate, the payment of principal and
12 interest on securities issued to finance projects authorized
13 by the legislature or for the payment of principal and
14 interest on securities issued to refund the securities.
15 Payments from this revenue shall be made by the state
16 treasurer only for expenditures approved by the trustees of
17 the university, provided that expenditures for capital
18 construction projects shall only be for projects authorized
19 by the legislature. The trustees of the university are
20 authorized to approve expenditures from this revenue for the
21 payment of principal and interest on any outstanding
22 securities issued pursuant to this paragraph in accordance
23 with the terms of the securities. The trustees of the

1 university shall include within the university's biennial
2 budget request submitted under W.S. 9-2-1013 a report on all
3 expenditures under this paragraph in each of the immediately
4 preceding two (2) fiscal years;

5
6 (xii) For the period commencing July 1, 2019 and
7 ending June 30, 2039 six and three-quarters percent (6 3/4%)
8 to the legislative stabilization reserve account.

9
10 **STAFF COMMENT: This FMR stream can be returned to any**
11 **account from which funding for the project originated. Also,**
12 **the timeframe is merely a placeholder as well.**

13
14 **Section 5.**

15
16 (a) There is appropriated \$**XXX,XXX,XXX.XXX** from the
17 _____ to the University of Wyoming student housing account
18 created by this act.

19
20 (b) There is appropriated \$**XXX,XXX,XXX.XXX** from the
21 _____ to the University of Wyoming outstanding bond
22 defeasance account created by this act.

STAFF COMMENT: The amount, source and format of these appropriations require additional direction from the Task Force.

Section 6. 2018 Wyoming Session Laws Chapter 136,
Section 13(h) is repealed.

STAFF COMMENT: This is the UW Building moratorium subsection of last year's Capital Construction bill.

Section 7. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)